

REMARKS

Applicant has carefully reviewed the final rejection, and respectfully requests reconsideration in view of the following remarks. A separate petition and fee to extend the time to respond by 1 month accompany this response.

The examiner has maintained his rejection of Claims 1-13 over the previously cited PPG reference, namely Corrigan et al (US 6,522,977). The examiner has taken the position that while Corrigan's invention requires physical color input and the claimed method does not, this is a trivial difference which does not rise to level of inventiveness. Applicants respectfully disagree with the examiner's position.

As pointed out in the background section of the subject application, optical instruments to measure the color of the car being repaired are expensive (see lines 16 to 23 on page 2 of the specification). Typically they would cost the autobody shop about \$6,000. Smaller shops cannot afford this extra expense. The claimed method does not require this instrumentation. The user (i.e., the autobody shop) simply reads the VIN and manufacturer's paint code and enters it into our software program to get the correct refinish paint to match the car. This process gives a skilled sprayer sufficient accuracy to blend in the repair, such that the small color difference is not perceivable, without requiring physical color readings.

From a paint supplier's view, with the present invention, there is no need to put the considerable effort Corrigan describes of tracking color versus VIN sequence, interpolating, and maintaining this huge database as each repair feeds back a new VIN and its color reading. This interpolation process can be erroneous because it is not necessarily a smooth transition in color as you move through sequential VIN's.

For the forgoing reasons along with the reasons already presented on the record, the present invention constitutes a significant advancement in the art, not just a simplification over Corrigan's method, and should be deemed patentable.

Reconsideration and withdrawal of the 102 (e) rejections are therefore respectfully requested.

The Applicants have previously amended the claims to more clearly point out the invention and the patentable differences between Applicants' invention and the cited art have been further set forth herein. The application should now

be in allowable form. If for some reason the application is not allowable, Applicants' attorney request a telephonic interview with the Examiner to discuss the case and any additional amendments to the claims that may be required to place the case in allowable form.

Respectfully submitted,



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